

DOCKET NO.: UPAP-0404



PATENT APPLICATION

449
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David B. Weiner, et al

Serial No.: 09/622,452

Group Art Unit: 1632

Filed: October 31, 2000

Examiner: Anne Marie S. Beckerleg

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For: VACCINES, IMMUNOTHERAPEUTICS AND METHODS OF USING
THE SAME

I, Mark DeLuca, Registration No. 33,229 certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On June 25, 2002

Registration No: 33,229

Assistant Commissioner
for Patents
Washington, D.C. 20231

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Dear Sir:

REPLY

This reply is being filed in response to the Official Action dated March 25, 2002 for the above-identified patent application. The period to respond is extended by petition and payment of the appropriate fee provided herewith.

Claims 1-39 are in the application.

According to the Official Action, restriction to one of Groups I-VI as set forth in the Official Action is required under 35 U.S.C. §121. Additionally, it is asserted that claims in

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Groups I, IV and V are directed to patentably distinct species of nucleic acid molecules and that inventions I-VI are directed at patentably distinct species of immunomodulatory proteins.

Applicants respectfully elect Group I, claims 1-29 and 33-37 for examination. Applicants respectfully elect a) plasmid vector as the elected species of nucleic acid for initial examination. Applicants respectfully elect II) DR5 as the species of immunomodulatory protein for initial examination.

Claims 1-29 and 33-37 are in condition for allowance. A indication of allowability is earnestly solicited.

Respectfully submitted,



Mark DeLuca
Registration No. 33,229

Date: June 25, 2002

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